

REMARKS

Claims 1, 3 and 6-7 are pending and under consideration.

Regarding Obviousness-Type Double Patenting

The rejection of claims 1, 3 and 6-7 on the ground of non-statutory obviousness-type double patenting over claims 1-4 of U.S. Patent No. 6,936,426 is respectfully traversed. Nevertheless, without conceding the merits of the instant rejection and in an effort to further prosecution Applicants submit herewith a Terminal Disclaimer over U.S. Patent No. 6,936,426. Los Angeles Biomedical Research Institute at Harbor-UCLA Medical Center and Trustees of Boston University are the co-owners of one-hundred percent interest in both the instant application and the '426 patent by virtue of assignments recorded on September 3, 2002, at Reel 013265, Frames 0010 and 0754, and January 02, 2003, at Reel 013638, Frame 0160. Removal of the rejection of claims 1, 3 and 6-7 on the ground of non-statutory obviousness-type double patenting over claims 1-4 of U.S. Patent No. 6,936,426 is respectfully requested.

In light of the above remarks and accompanying Terminal Disclaimer, the Applicants respectfully request that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at 858-314-1167 if a telephone call could help resolve any remaining items.

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Respectfully Submitted,

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